

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

State of Delaware
March 19th 2019
Pre-SFIREG State Report -- Philadelphia

A: General Overview

Staff Changes:

- Delaware Department of Agriculture Pesticide section is fully staffed as of March 19, 2019.
- New Ag Specialist/Certification and Training Brandon Ranalli started 1/7/2019.

Budget Outlook:

- State of Delaware is currently stable.

Equipment/Technology:

- DDA continues to support Fieldwatch/Driftwatch/BeeCheck website. They have added a mobile app to accompany the website. DDA has continued outreach to stakeholders about the Fieldwatch/Driftwatch/BeeCheck system. The MP3 will be updated with new BMP's and other minor additions in the Spring/Summer 2019.
- Section purchased Matrice 210 (UAV) to assist with some agriculture based complaints. UAV will be used department wide for various programs. State funds used to purchase all components.

Statute/Regulatory Changes

- After receiving guidance documents in March of 2019, DDA has started the process of updating the C&T program to comply with all of the federal requirements.

B. Program Specific Issues

- ***Worker Protection:*** DDA continues to provide outreach materials as they become available. As mentioned above compliance visits are being conducted with every grower we can identify.
- ***Water Quality:*** Hydrologist Laura Mensch is working with DNREC in getting well data synced with their EQuIS system. This will allow for data sharing among the agencies.
- ***Endangered Species:*** When requested, DDA provides pesticide analytical testing for wildlife cases involving endangered species.
- ***Disposal/Recycling:*** DDA continues to support this project with monthly pickup in each county. DDA collected plastic for chipping and also still ships some in bale form. U.S Ag Recycling provided on-site chipping at several locations in DE. The program is popular with the commercial applicators and growers. 2019 pickups will resume in March.
- ***Obsolete Pesticide Disposal:*** MXI Environmental Services, Inc. contract is in its last year. DDA hopes to keep the program active in the coming years. The program is being offered to farmer first, commercial applicators second and finally to pesticide retailers. The end of 2018 and the start of 2019 have shown an increase in interest from golf courses. Many sites on the current pickup list are golf courses. Some of these sites are the worst DDA has seen since the program was started.

C. Enforcement Update:

- Since 7/1/2018 DDA has issued fines totaling \$4600.00. Main violations have been unlicensed business and recordkeeping.
- One bee kill investigation was hampered by lack of farmer cooperation. DDA exploring options to correct this issue in the future.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

Pennsylvania State Report
Region 3 Pre-SFIREG Meeting
March 19-20, 2019

Staffing

Staffing for the Pesticide Program has been stable since 2017 especially regarding field staff. There is currently one vacancy for a Pesticide Specialist - Registration position. This position became vacant with the retirement of John Lake effective November 9, 2018. We have completed our interview process and have chosen a candidate to backfill this mission critical position. We have backfilled the vacancy for a full-time clerk to work with the pesticide registration and registered technician programs. Deidre Lake, was working in the pesticide registration program and registered technician program areas as a temporary clerk and became full time in January. Dave Scott, has returned for his third and final year as an annuitant to provide oversight to the Bureau of Plant Industry Industrial Hemp research program and leadership to the Evasive Species Council. Dave will end his short-term assignment on or about December 1, 2019. Jim Cunningham has completed the process to obtain credentials as program managers.

Funding

The pesticide program is self-funded through a restricted account which continues to provide stable funding for the program. EPA FY19 (7-1-18 thru 6-30-19) funds were released for use and draw down on these funds for program activities is on track. These funds included the 2018 Inspectors Workshop and the MANTS trade show for WPS. The commonwealth continues to draw down funds for this cycle of the co-operative grant. The program is nearing completion of year 2 of the cooperative grant.

Regulation Changes

We continue to conduct outreach training on the changes to WPS. The commonwealth of Pennsylvania is currently in the second year of a focused inspection pilot program for WPS inspections and continue to work with OECA and a national work group established by EPA to determine the feasibility of the focused inspections for WPS on a national level. Recommendation to EPA would be to bring on one or two other states to join the pilot program.

Industrial Hemp has completed its second growing season with mixed results primarily due to unfavorable growing conditions throughout the summer months well into the fall and harvest time. The second year of the project saw an increase from 14 growing locations in year one to 35 participants with 50 growing locations in year two with an increase in acreage to 700 acres. Since the passage of the Farm Bill and the deregulation of Hemp the program has started a conversion to full production. The department has started the process through the Noxious Weed Control Law to place Hemp on the registry as a control plant requiring permitting. As of this date the department has received 127 permits and complete applications with 66 finalized permits, 61 permits pending signatures or completion with a total of 324 growing sites.

Enforcement

The PDA Enforcement Program continues to provide a strong enforcement presence while at the same time, promoting education and compliance assistance during inspection opportunities. Civil penalty assessments have continued and are an effective enforcement tool. For the first seven months of FFY2019, 54 actions were taken with 34 Notices of Proposed Civil Penalty and 20 Notices of Warning issued.

Pollinators

PDA did not have any bee-kill complaints during calendar year 2018. The clear majority (90-95%) of 4,000+ apiaries in PA are hobbyists with less than 10 hives. There are less than 5 with more than 500 hives. Registered individuals and businesses on our PaPlants website can locate/map apiary sites. The department has seen an increase of complaints from hobbyist bee keepers (residential) regarding mosquito control companies that have become prevalent with health-related issues brought on by vector borne diseases such as West Nile and Zika viruses. Their primary complaint is that insecticides such as Neonicotinoids and Pyrethrins are affecting the overall health of the bee hive.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

Worker Protection Standard

PDA continues to contract with the Pennsylvania Office of Rural Health (PORH) to provide WPS compliance assistance to all Pennsylvania growers. The PORH has completed updating the WPS DVDs. Commodities targeted in the DVDs are greenhouse, nursery, orchard, vegetable, and mushroom. The current agreement between PORH and PERC will permit the downloading of EPA approved DVD's directly from the PERC website. Additionally, any state, PSEP, professional association, or EPA funded organization can request the files to produce their own DVDs to distribute as needed.

PDA Staff continues to provide support to the MANTS trade show regarding the WPS program. This was PDA's second year at the MANTS trade show

PDA is conducting focused WPS inspections that concentrate on the revised sections of the WPS standard as part of a pilot program with OECA. PDA has had two phone conferences calls with OECA and EPA Regional offices to present our findings on the focused inspections and to provide statistical information on our focused inspections to an EPA working group tasked with developing criteria for the use of focused WPS inspections.

Certification & Training

PDA continues the process to transition category exams to closed book status. As category exams or study materials are revised the process to change previously open book exams to close book status is put in place. Category 5 Forestry, 6 Ornamental, 7 Lawn and Turf, 8 Seed Treatment (national manual), 9 Aquatic, 11 Household & health related, 19 Wood Preservation, 21 Soil Fumigation (national manual), 22 Interior Plant Scape, 24 Swimming Pool, 25 Aerial (national manual) and the core as closed book tests.

To date for FY 18 PDA inspectors proctored 300 testing sessions at locations across the Commonwealth. During these exam sessions over 7,000 examinations were administered. Numbers of certified applicators is holding steady. In addition to inspector administered exams, PDA is working with Metro Institute to provide computer based testing at nine locations throughout the state. Since its implementation in April, about 300 exams were taken at the third-party locations.

PDA staff attended 250 of the instate meetings and has giving 63 presentations this year.

PDA is currently working to update the Pesticide Rules and Regulations to accommodate updated EPA Certification and Training Rule. There are not many changes needed to meet the requirements however we are taking a close look at current regulations to determine where additional changes should be made to better serve the Commonwealth. We should have our certification plan in to EPA on time however getting through the regulatory process on the state level by the requested time to implement may be a challenge.

Water Quality-Groundwater Monitoring

A four-year contract with USGS began in January 2017 with focus on sampling and analysis in the vulnerable settings in PA. PDA is currently in the third year of the contract with the continuing objective of Joint Funding Agreements (JFA) with USGS is to maintain an ongoing monitoring network to detect pesticide occurrence in the most vulnerable settings in Pennsylvania.

We have received results from the sampling conducted 2018. Meetings are scheduled to work on a new multi-year contract to revisit highly leachable areas. This contract will include retesting of wells to develop data for decadal comparisons.

For the season 2018 over 200 pesticide compounds were analyzed at the USGS National Water Quality Laboratory (NWQL) using pesticide Schedule 2437. Results associated with this schedule are reported in nanograms per liter. For reference, 1,000 nanograms per liter is equivalent to one microgram per liter, and 1,000,000 nanograms per liter is equivalent to one milligram per liter. The pesticide results for the three wells are summarized in the bullets and table below.

- **No pesticide detections** exceeded the respective U.S. Environmental Protection Agency (EPA) maximum contaminant levels (MCLs) or lifetime health advisories (HALs).
- There were detections for 18 out of 225 analyzed pesticides in Schedule 2437 for the three wells sampled five times between July 2017 and September 2018. Concentrations for 7 of the 18 detected *pesticides were less than the highest minimum reporting level (MRL) associated with the constituent*. For the remaining 11 detected pesticides, the concentration was greater than the highest MRL in one or more wells during the sampling timeframe. Concentrations for these 11 pesticides include Atrazine and its degradedates, Chlorimuron-ethyl, Metolachlor, Metribuzin and its degradedates, Propoxur, and Simazine.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

The fifty-seven EPA pesticides of interest (POI) have been evaluated and entered into the POINTS database. For Performance Measure 1, PDA has evaluated 98.2% of the POI list: Isoxaflutole remains as the sole POI for which PDA has no sampling data, thus there has been no evaluation. This compound is included in the new 2437 schedule to be used by USGS.

CHEMSWEEP Waste Pesticide Disposal Program

PDA continues to support the waste pesticide disposal stewardship program. 2018 activities included:

- Farm-to-farm collections in 19 counties totaling 77,415 pounds of pesticides were collected.
- Six counties holding seven HHW events collecting 55,264 pounds of homeowner pesticides.
- Total of 132,679 pounds collected resulting in an increase of 38,443 pounds year over year.

For 2019, 18 counties are included for farm-to-farm collections and an expected 9 HHW events conducted by 9 counties. Site inventories are currently being mailed to over 4,000 applicators and businesses with collections to begin in June.

Plastic Pesticide Container Recycling Program (PPCR)

PDA continues to offer the PPCR program to the agricultural and professional pesticide application industries. Single-use jugs and drums are collected and granulated from 164 locations across Pennsylvania. 115,452 pounds of pesticide containers were recycled in 2018.

Laboratory

PDA's is utilizing a LCMS/MS in the Department's laboratory. We are experiencing no delays in sample processing times. This new equipment has reduced the sample turnaround time by 1 –2 days with an average turnaround time of less than 10 days. The laboratory is participating in the AAPCO and Wisconsin check sample programs. Both the QAP and QAPP we revised and approved by EPA in 2017.

Submitted By:

Leonard Brylewski
717-772-5212
lbrylewski@pa.gov

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

**West Virginia Department of Agriculture
Pesticide Regulatory Programs
State Report
EPA Region 3 Pre-SFIREG Meeting
Philadelphia, PA
March 19-20, 2019**

Staff and Budget

Continue to interview candidates for the Morgantown Pesticide Regulatory Officer position. Utilizing Indeed web-based application process for vacant position announcements.

Regulations

Minimum age and RUP applications only by certified applicators will need to be addressed in rules as a result of Federal pesticide certification revisions.

HB 2538 – Banking for Medical Cannabis: Passed waiting Governor’s signature

- The purpose of this bill is to provide banking services for services provided under the West Virginia Medical Cannabis Act

HB 2079 – Medical Marijuana Vertical Integration: Passed waiting Governor’s signature

- This bill updates §16A-2 Medical Cannabis. The purpose of the bill was to update permitting language to allow “vertical integration.” Language was added for the testing of all medical cannabis produced, under the direction of the Bureau of Public Health, will be conducted by the WVDA. If the WVDA cannot handle, the bureau may contract out services.

HB 2694 – Regulate Hemp: Passed waiting Governor’s signature

- This bill updated and clarified section §19-12E relating to industrial hemp. This included updated language for background checks, THC levels and processes for violations. This bill also clarified that the WVDA regulates CBD products within WV.

WPS Outreach and Ag Safety Days

WPS outreach continues statewide. Jessica Stricklen, Ag Health and Safety Coordinator conducts presentations at conferences, site visits to determine compliance and Ag Safety Days to provide WPS training. Ag Safety Days events provide WPS training, respirator fit testing, equipment safety training, First Aid/CPR and other safety related training. A 3-day event was held in Morgantown November 8-9, 2018 and a 4-day event was held in Kearneysville, WV February 4-7

Plastic Pesticide Container Recycling

Added an 11th site available for collecting plastic pesticide containers for recycling. Have purchased sea containers for 3 recycling locations set up at WVDA field offices and one grower location. Remaining 8 locations utilize rented sea containers. Contact Jennifer Hathaway for more information.

Waste and Unwanted Pesticides

Completed the first cycle of a \$25,000/1-year contract to support the disposal of waste and unwanted pesticides. March 2018-March 2019, three county-wide events were held, four pickups were conducted at the Charleston/Guthrie Universal Waste Site and three milk runs were conducted by the contractor. Contact Jennifer Hathaway for additional program information.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

WV Plants

USA Plants went live November 1, 2011. Online payment for renewal of pesticide products and applicators was added in 2015. Renewal season is November 1- March 31. Contact Tamara Harpold for licensing program specific information and Kim D'Arco for Product Registration information.

MiForms

Electronic inspection forms and HP tablets are being used to complete all enforcement inspections electronically. Contact Chad Carpenter for program specific information.

Groundwater Protection

Entered into a financial agreement with WV DEP for a 5-year groundwater monitoring program. Established ten locations across the state of West Virginia that are more vulnerable to pesticide exposure. Samples starting this Month. Contact Jennifer Hathaway for program specific information.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

**MARYLAND DEPARTMENT OF AGRICULTURE
PESTICIDE REGULATION SECTION**

**State Report
EPA Region 3 Pre-SFIREG Meeting
Philadelphia, PA
March 18-20, 2019**

Legislative Update

Two bills directly affecting Pesticide Regulation Section – HB275/SB270. Prohibit the use of chlorpyrifos in the State as of January 1, 2020.

Staff and Budget

Continue to operate with four Inspectors (down 2). Interviews have been conducted to replace Glenn Krout. Unfortunately our first two choices have declined. The opening has been re-posted. Inspector Russell Noratel has been assigned as the Section's Acting Licensing, Certification and Training Coordinator, since May 2018. Have still not heard on whether Russ's upgrade has been approved. Dennis will officially retire on or around May 31, 2019 (if he gets his paperwork in on time). We will be doing something for Dennis to honor his 43+ years of service. Details to follow. In addition, Ellis Tinsley, Managing Inspector will retire as of April 30, 2019.

Regulatory

As stated in our last State Report, MDA is under pressure from special interest groups to do more in enforcing the Neonics law that went into effect on January 2, 2018. With four Inspectors it has been slow going. Russ put together an info sheet for businesses. Most large box stores are slowly complying or have applied for State RUP permits. Although we have not found as many non-compliance stores as our "volunteer" Inspectors, we have found some outdoor use only product on some shelves. Stores were quick to remove product and no formal violations/citations were issued.

The Maryland Medical Cannabis Commission has been requesting the Department register pesticides for use on cannabis. A list of approved products has been registered by the Department's State Chemist Section and is available on our website. While not affecting our Section, directly, legislation was introduced this year to require Cannabis growers to label product as to whether it was organically grown or not. Not sure where bill is headed at this time.

Plastic Pesticide Container Recycling/Pesticide Disposal

We will be kicking off our 2019 pesticide container collection year beginning on June 1, 2019. MDA maintains seven collection sites and currently has an additional 24 cooperators around the State. Collected approximately 30 tons of HDPE and an additional 25 tons of HDPS in 2018. Pesticide disposal will not be offered due to budget constraints.

Field Watch

MDA entered into an agreement with FieldWatch and is now a member of DriftWatch and BeeCheck. The site went Live January 1, 2019. We have had a large influx of bee keepers register their hives. Few sensitive crop locations, for now.

Northeast IPM Center

Sent letter of support for the Northeast IPM Working Group Grant Proposal to the Northeast IPM Center. Primarily for updating PR material. Grant was awarded.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

Spotted Lantern Fly

Is now (officially) confirmed in Maryland (thanks PA).

Enforcement

No major updates. Has been a slow start to the year.

Certification and Training

Russ will provide an update.

Special Interest Items

Paraquat Mitigation Measures – Has raised a lot of questions from Extension. Primarily, will Extension personnel be able to provide the training/test. Currently it appears that on-line training and testing may currently be the only option (based upon EPA's talk at AAPCO....Unless I was misinformed). This will pose a significant problem for many folks (primarily Amish Community and those with limited/slow internet access). What is EPA's turn-around time for approving a training session? In addition, what is the reasoning behind needing 100% required to pass exam. Will an EPA-approved training still require the exam?

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment



EPA Region III
PRE-SFIREG State Report
March 18-20, 2019

DOEE AGENCY REORGANIZATION

Both the Chief of Staff and the Agency's Deputy Director of Administrations have resigned and left the Agency.

Effective 3/11

Acting Administrative Deputy Director for DOEE is Richard Jackson

Acting Chief of Staff is Marc Nielsen

Interim Deputy Director ESA, TSD Pesticides Program is Collin Burrell.

Richard Jackson was previously the Pesticides Program Deputy Director so this change will be significant.

Collin Burrell has been with the Agency for over 25 years and has been the Associate Director for the Natural Resources Administration for the past several years.

There are additional changes to both Deputy and Associate Directors throughout the Agency.

DOEE PESTICIDES PROGRAM STAFF

Manish Poudel started with the Program on 2/18. He replaces Anne Murray who worked with Howard Brown on Product Registration and resigned last summer. He will continue with the work Anne was doing that includes review of 25b applications and review of efficacy testing that must be submitted with the application for a 25b product. He is also assisting with the transition to regulate District Restricted Use Products. These products include second generation anticoagulant rodenticides (SGAR's) and neonicotinoid. This task involves a massive amount of time and we hope that Manish will be able to manage this portion of the program.

We are also in the process of interviewing for the program assistant position formerly held by Chianna Harrison. We have not added any inspectors to the Program.

DOEE INSPECTOR CREDENTIALS

DOEE is changing the procedure for eligibility of inspector credentials. Each program within the Agency will identify the essential courses that their employees will need in order to function as an inspector. This allows each program to customize the onboarding requirements to fit their needs. There will, however, be required field safety and a DOEE Intro to enforcement courses that each inspector must attend before receipt of their badge. Inspectors must perform a minimum number of hours shadowing high performing inspectors in the Agency, and receive a final observation by their supervisor prior to sign-off.

ANALYTICAL SERVICES

The Pesticides Program continues to struggle with the assistance for laboratory support. Last year we contracted with the South Dakota Agricultural Lab (SDAL) to perform analysis for our samples. When they received our wipe samples they informed us that they could not perform analysis on unknowns. We identified another lab National Science Laboratories in North Carolina (NSL) and had the samples shipped there for analysis. We also sent formulation samples to NSL. Shortly after they received those samples they informed us they could not analyze formulation samples. We asked them to send us back the samples back to us in December 2018 so we could then send them to SDAL who assured us that they could perform analysis for formulation.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

The box of samples was shipped to us in February 2019 with no date, name of recipient or signature required.

Thus the box was sent to a storage room. Once I tracked it down 2 weeks later some of the samples in the box had leaked and we are now disposing of the samples as hazardous waste.

C&T

Due to the lack of efficiency and breakdowns with DCPlants we were forced to go with a Contingency Plan for licensing operators, certifying applicators registering technicians and renewal of all licenses and certifications.

We notified by telephone/e-mail when licenses were scheduled to expire, followed up by telephone/e-mail regarding test results and began collecting fees by check. Additionally the Pesticide Product Usage report is tied to our license renewal function. There were many operators that could not renew their licenses because the Pesticide Product Usage system had shut down that function. Currently we are not receiving assistance from USAPlants as there is negotiation as to whether deliverables in the current contract have been received.

UDC CAUSES (College of Agriculture, Urban Sustainability and Environmental Sciences)

UDC is continuing to offer courses for applicators who aspire to become certified. The feedback has been very positive. The Program planned to contract with Cornell University to update the exams consistent with the Cornell Study Manual and for efficiency. The exam would also contain IPM questions as a result of modifications/upgrades to the exams. We have run into a snag with Cornell University. It took over 9 months to get a RFP out from DOEE to the public. Once it was posted Cornell didn't bid on the contract. There is some confusion at Cornell as to whether our solicitation is a work-for-hire agreement or what they refer to as a service agreement. We are continuing to work out these issues with them. Our hope is to get Cornell on board with UDC by the end of the year (12/19).

PESTICIDE PRODUCT ANNUAL USAGE REPORTING

Each year, on or before February 1, operators are required to submit the amounts of pesticide products applied for the prior year. 46 Operators did not submit the Usage Report in 2017. Notices of Violation (warning) were issued. 25 of those operators are now in compliance. The remaining 20 have not reported for 2017 or 2018. WE are preparing Enforcement Notices with a \$1,000. fine.

ENFORCEMENT

Open Cases

Eastern Pest Management	Failure to obtain a pesticide license (2 Counts)
Conservation Services Inc.	Failure to renew a license on or before the first day of the licensure period.
	Failure to comply with record keeping requirement.
	No person who is a licensed certified operator shall permit the use of any pesticide by any person who is not certified or registered in that category.
Worthington Woods	Failure to obtain a pesticide license (1 count)
Greenturf Inc.	Failure to obtain a pesticide license
Federal Pest Control	Permitting the use of a pesticide by a person who is not a licensed certified applicator (37 counts)
	Failure to comply with a record keeping requirement (37 counts)
DC Department of Parks and Recreation	Use of a pesticide inconsistent with the label
	Failure to obtain a pesticide license

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

EPA REGION III Pre-SFIREG/GRANTS MEETING March 18-20, 2019
VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OFFICE
OF PESTICIDE SERVICES
STATE REPORT

Legislative Update

The 2019 General Assembly convened on January 9, 2019 and ended February 23, 2019 (short session). There were two pesticide related bills that came before the House Agriculture Chesapeake and Natural Resources Subcommittee. The status of the bills is below:

- HB1906 Residential automatic misting systems
 - o This bill prohibits, beginning January 1, 2020, the installation or use of any residential automatic pesticide misting system, defined in the bill as a device that is designed to be installed on the grounds or the exterior of a residential dwelling and to automatically spray a pesticide solution at timed intervals.
 - o The bill was "Passed by Indefinitely". This means that the Committee reserves the right to consider the bill at the next meeting however, no motion was made on the bill and it died at the time of the committee action deadline.
- HB2580 Chlorpyrifos
 - o This bill prohibits the manufacture, distribution, sale, offer for sale, use, or offer for use of any pesticide containing chlorpyrifos, defined in the bill, as an active ingredient. The bill authorizes the Virginia Department of Agriculture and Consumer Services to seize any such pesticide.
 - o The bill was stricken at the request of the patron. This removed it from the committee docket and in essence killed the bill.

Personnel

The Office of Pesticide Services currently has seven vacant positions including two full time administrative positions, two part-time administrative position, two pesticide investigator positions, and an additional full time professional/technical position. As of 2/25/2019, Marlene Larios joined OPS and began serving as the Program Coordinator for Product Registration, Business Licensing and Worker Protection Standards. In addition, beginning on 3/25/2019, Jessica Waddy, will join OPS as an Executive Secretary Senior to the Program Manager. We anticipate filling the Pesticide Investigator and one additional full time administrative positions during CY2019.

Regulatory Update

The following laws and regulations have recently been amended or are currently being amended:

1. Proposed - *Chapter 675 (Rules and Regulations Governing the Pesticide Fees Charged by the Department of Agriculture and Consumer Services under the Virginia Pesticide Control Act)*. The current certification fees for pesticide applicators and licensing fees for pesticide businesses have been in place since 1990. The current pesticide product registration fee has been in place since 1999. The proposed amendments are as follows:
 - o Increase the annual product registration fee from \$160 per year to \$225 per year;
 - o Increase the certification fee for commercial applicators from \$70 every two years to \$100 every two years;

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

- Increase the certification fee for registered technicians from \$30 every two years to \$50 every two years; and
- Increase the annual pesticide business license fee from \$50 per year to \$150 per year.

The final proposed amended regulations were approved by the Board of Agriculture and Consumer Services on December 6, 2018. The amended regulations are now back to the Governor's office for final approval. It is unknown when the regulations will be approved and when they will become effective.

Certification, License, Registration & Training

For FY19, certified 5,858 private applicators, 8,261 commercial applicators, and 9,966 registered technicians to apply pesticides within the Commonwealth. Licensed 3,063 pesticide businesses and registered 16,198 pesticide products.

Pesticide applicators continue to test through the SecuriTest [formerly Pesticide Knowledge Automated Testing System (PKATS)] offered at more than 70 Department of Motor Vehicles (DMV) customer service centers throughout the Commonwealth. DMV administered 2,573 exams through SecuriTest. 8,275 exams were given at all sites, resulting in the issuance of 6,318 new certifications across all pesticide applicator categories. Testing sites included DMVs, VDACS offices, and other proctored testing venues.

Reviewed and approved 251 recertification courses for certified commercial applicators and registered technicians across all pesticide applicator categories. Certified applicators are required to take one approved recertification course every two years to maintain their pesticide applicator certification.

Enforcement & Compliance

As of FY19 MidYear, conducted 952 routine inspections and related activities and initiated 86 investigations, including complaints, incidents, accidents, and related activities throughout Virginia. These activities resulted in the compliance unit issuing 1 advisory letters, 21 stop sale orders, and 46 civil penalties totaling \$13,880. These penalties were contained within 46 unique cases.

Specific Items of Interest

Dicamba – 2019 Growing Season and Beyond

In response to the October 31 (re)registration decision, in Virginia, registrants (manufacturers) will continue to provide the Dicamba specific training required to applicators prior to the use. Both in person and on line training will acceptable. Pesticide applicators may take any of the three registrant provided trainings to meet the training requirement. VDACS has updated Dicamba related information on their website as well as the information contained within the legal update to facilitate compliance. To date, Virginia has not received any tips/complaints/reports related to the over-the-top application of Dicamba.

Federal Certification of Pesticide Applicators Rule

With the very recent release of the C&T implementation support materials (e.g., C&T State Plan Qs & As (guidance), State plan outline/template, model plan, etc.) to support C&T rule implementation and state certification plan revision efforts, Virginia is in the very early stages of the revision process. The late release of these materials by EPA will make submission of the Virginia's revised State Certification Plan by the March 4, 2020 deadline challenging.

Region 3 State Reports
Pre SFIREG March 19-March 20 2019
DC, DE, VA, WV, PA

Select Program Activities

Pesticide Collection Program: which assists agricultural producers, licensed pesticide dealers, pest control firms, golf courses and homeowners with the proper disposal of unwanted pesticides, will take place in the following localities: Counties of Alleghany, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Roanoke, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe and the cities of Bristol, Clifton Forge, Covington, Galax, Norton, Radford, Roanoke, and Salem. Collections are tentatively scheduled for the September – October timeframe.

Localities again have the opportunity to participate in this year's **Plastic Pesticide Container Recycling Program**, which provides a convenient and environmentally friendly way to dispose of properly rinsed plastic pesticide containers. Participation requires localities enter into a cooperative agreement with VDACS. Grant monies are provided to participating local government to defray the costs. Recycling sites are established in participating localities to accept properly rinsed plastic pesticide containers. Containers are granulated by a contractor with assistance from VDACS and local personnel. Granulations are tentatively scheduled for the Fall.

As part of it **Virginia's Voluntary Plan to Mitigate the Risk of Pesticides to Managed Pollinators**, VDACS has procured FieldWatch. VDACS is providing the online technology based communication tool to all beekeepers (BeeCheck – Apiary Registry) and pesticide applicators (FieldCheck) to facilitate communication and coordination and thereby reduce the potential for pesticide exposure to bees. VDACS is not utilizing DriftWatch (specialty crop registry) at this time; and will not accept submissions of crops through DriftWatch or BeeCheck. FieldWatch was introduced to stakeholders beginning with beekeepers followed by pesticide applicators. While VDACS continues to encourage beekeepers and pesticide applicators to use this communication tool, it is considered to be fully implemented.

Current Issues

Farm Bill/Hemp/Pesticides